

REMARKS

Claims 9-12 and 16-19 are pending in this application. By this Amendment, claims 9-12 and 16-19 are amended and claims 13-15 and 20-22 are canceled. Support for the amendments to the claims may be found, for example, in the previous claims. No new matter is added.

The courtesies extended to Applicants' representative by Examiner Green during the telephone interview held June 19, are appreciated. The issues discussed during the interview are incorporated into the Remarks below and constitute Applicants' separate record of the interview.

In view of the foregoing amendments and following remarks, reconsideration and allowance are respectfully requested.

I. Allowable Subject Matter

Applicants thank the Examiner for indicating on page 8 of the Office Action that claims 15 and 22 contain allowable subject matter. Additionally, Applicants thank the Examiner for indicating that claim 11 also contains allowable subject matter, as discussed in the above-referenced telephone interview. By this Amendment, the subject matter of claim 15 is incorporated into claim 9, the subject matter of claim 22 is incorporated into claim 16, and claims 15 and 22 are canceled. Accordingly, allowance of claims 9 and 16 are respectfully requested.

II. Objections to the Claims

The Office Action objects to claims 13, 14, 20 and 21 under 37 C.F.R. §1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. By this Amendment, claims 13, 14, 20, and 21 are canceled, thus the objection is moot.

III. Rejection Under 35 U.S.C. §112

The Office Action rejects claims 16-22 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Specifically, the Office Action asserts that in claim 16, the term "highly" is a relative term which renders the claim indefinite. By this Amendment, claims 20-22 are canceled, thus the rejection is moot as to those claims. Additionally, claim 16 is amended so that it no longer recites the term "highly," thus reconsideration and withdrawal of the rejection are respectfully requested.

IV. Rejections Under 35 U.S.C. §102

A. Turcotte

The Office Action rejects claims 9 and 12-14 under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 6,290,870 to Turcotte et al. ("Turcotte"). By this Amendment, claim 13 and 14 are canceled, thus the rejection is moot as to those claims. As to the remaining claims, Applicants respectfully traverse the rejection.

Without conceding to the propriety of the rejection, and in the interest of furthering prosecution, claim 9 is amended to incorporate the subject matter of allowable claim 15. Thus, Turcotte does not anticipate amended claim 9.

Claim 9 is not anticipated by Turcotte. Claim 12 depends from claim 9 and, thus, also is not anticipated by Turcotte. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

B. WO '600

The Office Action rejects claims 16-18, 20 and 21 under 35 U.S.C. §102(a) as anticipated by PCT International Application No. WO 03/106600 ("WO '600"). By this Amendment, claim 20 and 21 are canceled, thus the rejection is moot as to those claims. As to the remaining claims, Applicants respectfully traverse the rejection.

Without conceding to the propriety of the rejection, and in the interest of furthering prosecution, the subject matter of allowable claim 22 is incorporated into claim 16. Thus, WO '600 does not anticipate amended claim 16.

Claim 16 is not anticipated by WO '600. Claims 17 and 18 depend from claim 16 and, thus, also are not anticipated by WO '600. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

C. Gorun

The Office Action rejects claims 16-21 under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,324,495 to Gorun ("Gorun"). By this Amendment, claim 20 and 21 are canceled, thus the rejection is moot as to those claims. As to the remaining claims, Applicants respectfully traverse the rejection.

Without conceding to the propriety of the rejection, and in the interest of furthering prosecution, the subject matter of allowable claim 22 is incorporated into amended claim 16. Thus, Gorun does not anticipate amended claim 16.

Claim 16 is not anticipated by Gorun. Claims 17-19 variously depend from claim 16 and, thus, also are not anticipated by Gorun. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

D. JP '174

The Office Action rejects claims 16-21 under 35 U.S.C. §102(b) as anticipated by Japanese Patent Specification No. JP 5-117174 ("JP '174"). By this Amendment, claim 20 and 21 are canceled, thus the rejection is moot as to those claims. As to the remaining claims, Applicants respectfully traverse the rejection.

Without conceding to the propriety of the rejection, and in the interest of furthering prosecution, the subject matter of allowable claim 22 is incorporated into amended claim 16. Thus, JP '174 does not anticipate amended claim 16.

Claim 16 is not anticipated by JP '174. Claims 17-19 variously depend from claim 16 and, thus, also are not anticipated by JP '174. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

V. Rejection Under 35 U.S.C. §103

The Office Action rejects claims 9, 10 and 12-14 under 35 U.S.C. §103(a) as obvious over U.S. Patent No. 5,723,059 to Snyder, Jr. ("Snyder"). By this Amendment, claim 13 and 14 are canceled, thus the rejection is moot as to those claims. As to the remaining claims, Applicants respectfully traverse the rejection.

Without conceding to the propriety of the rejection, and in the interest of furthering prosecution, the subject matter of allowable claim 15 is incorporated into amended claim 9. Thus, amended claim 9 is not anticipated by Snyder.

Claim 9 is not anticipated by Snyder. Claims 10 and 12 depend from claim 9 and, thus, also are not anticipated by Snyder. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

VI. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the application are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:NAB/kjl

Attachment:
Petition for Extension of Time

Date: October 9, 2008

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